

REMARKS/ARGUMENTS

Claims 1-27 and 29-46 are pending in the Application. By this Amendment, claims 1, 23 and 46 are amended. Support for the claim amendments can be found at page 12, lines 5-7 of the application. Prompt and favorable action on the merits is respectfully requested.

The previously pending claims were rejected under 35 U.S.C. §102(e) and/or §103(a) over U.S. Patent No. 6,549,768 to Fraccaroli. The claims have been amended to distinguish this reference.

Amended claims 1 and 46 recite that a message pushing system receive messages from a message sending device (of a requesting party), the message comprising details of an intended recipient. Claims 1 and 46 further recite that the system interrogate a database of user profiles to find user profiles matching the details of the intended recipient set forth in the message sent by the requesting party. Claims 1 and 46 further recite that the message pushing system transmits “said message” to the message receiving means of one or more members who may be the intended recipient.

In contrast, in the Fraccaroli system, a requesting party will ask the system to compare his (previously input) profile to the profiles of other people in the system to try to find matches. If matches are established, the system sends the requesting party’s user profile to the potential matches.

The Fraccaroli system does not compare details in a message sent by a requesting party to user profiles of potential recipients, as recited in claims 1 and 46. Instead, the Fraccaroli system compares the user profile of the requesting party to the profiles of potential recipients. In addition, the Fraccaroli does not send the original message sent by the requesting party to the

potential recipients, as recited in claims 1 and 46. Instead, the Fraccaroli system only sends the profile of the requesting party to the potential matches.

Because of the above noted differences, the Fraccaroli system requires that the requesting party have already registered with the system and input a user profile. In contrast, because the systems in claims 1 and 46 do not compare the requesting party's profile to profiles of others in the database, but instead compare details in the requesting party's message to profiles, in a system as recited in claims 1 and 46, the requesting party need not have previously registered with the system and input a profile.

In addition, the systems in claims 1 and 46 only send on the message sent by the requesting party to the potential recipients. The Fraccaroli system sends on the requesting party's profile. Thus, the Fraccaroli system cannot operate as claimed. This difference also allows the requesting party to never register with the system.

Claim 23 also recites receiving a message at a central message pushing system, the message including details of the appearance and location of the intended recipient, and interrogating a database of user profiles to find user profiles that match the details in the message. Here again, Fraccaroli only compares the user profile of a registered user to the user profiles of other users in the database. Fraccaroli fails to disclose or suggest comparing details in a message sent by a requesting party to user profiles in a database to identify intended recipients. Thus, Fraccaroli cannot perform the method recited in claim 23. The differences also mean that a method as recited in claim 23 can be used to identify possible intended recipients for a requesting party that has not registered with the system and that has not input a profile. All features which the Fraccaroli system would not allow.

For all the above reasons, it is respectfully submitted that the claims are allowable over the references of record.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, John C. Eisenhart, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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